

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ishey OSTFELD et al

Application No.: 10/074817

Filed: February 14, 2002

For: INDWELLING DEVICE

Confirmation No.: 5828

Customer Window, Mail Stop _____
THE COMMISSIONER OF PATENTS AND TRADEMARKS
Arlington, VA 22202

Art Unit: 3763

Examiner: L. KONTOS

Washington, D.C.

Atty.'s Docket: OSTFELD=1

Date: November 21, 2003

Sir:

Transmitted herewith is a REPLY: AMENDMENT AND REMARKS in the above-identified application.

- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
 No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS	RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL	59	MINUS	58	x 8	\$ 8.00		x 18	\$
INDEP.	6	MINUS	3	x 43	\$ 129.00		x 88	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ 145	\$		+ 290	\$
				ADDITIONAL FEE TOTAL			TOTAL	
					\$ 138.00			

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

 Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

 It is hereby petitioned for an extension of time in accordance with 37 CFR 1.138(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- First - \$ 58.00
 Second - \$ 210.00
 Third - \$ 479.00
 Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- First - \$ 110.00
 Second - \$ 420.00
 Third - \$ 850.00
 Fourth - \$ 1,480.00

Month After Time Period Set

Late fees (\$ _____) already paid for ____ month(s) extension of time on _____.

Please charge my Deposit Account No. 02-4035 in the amount of \$ _____.

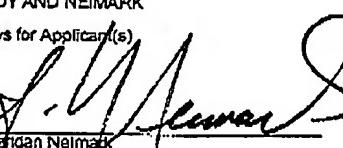
Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 348.00.

A check in the amount of \$ _____ is attached (check no.).

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.18 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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Jan-02-2004 11:45

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T-240 P.001 P-589

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TELEFAX CONTROL SHEET

SENT TO: Ex Kontos (303) 877-9302
Act Unit 3763

DATE SENT: January 2, 2004

SUBJECT: 10/034,017

NO. OF PAGES (including this cover sheet): 79

FROM: Laurie Abbott - Secretary

Remarks:

Here is the amendment filed Nov. 21, 2003, with postcard receipt (w/ payment form)

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JAN 02 2004

OFFICIAL

Browdy & Neimark

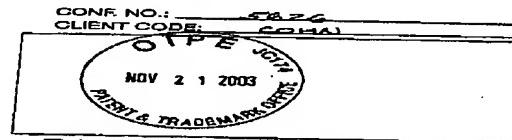
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If this transmission is not well received, please advise us at our telecopier no. 202-737-3528 or by e-mail at mail@browdynemark.com, or call our voice telephone no. 202-628-5197.

APPLICATION/PATENT NO: 10/034,017
DOCKET NO: ESTELO-1

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE
FOLLOWING PAPERS:

FEES \$ 340 PTO FORM 2038 (CH. #)
 EXTENSION OF TIME (MONTHS) TRANSMITTAL LETTER
 MISSING PARTS RESPONSE WITH DECL
 AMENDMENT/RESPONSE (circle one) PRELIMINARY SUPPLEMENTAL
 APPLICATION DATA SHEET RESTRICTION/ELECTION REPLY
 SEQUENCE LISTING WITH DISK
 RCE / CPA TRANSMITTAL (circle one)
 NOTICE OF APPEAL
 APPEAL BRIEF (TRIPPLICATE)
 REPLY BRIEF (TRIPPLICATE)
 OTHER



- ASSIGNMENT
 INFORMATION DISCLOSURE STATEMENT
 FORM SB08A & PATENTS/PPBS
 PRIORITY DOCUMENT(S) NO.
- DECLARATION UNDER 3
LETTER TO DRAFTSMAN SHEETS OF DRAWINGS
 ISSUE FEE TRANSMITTAL FORM
MAINTENANCE FEE LETTER

B&N-1